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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	2:17-cr-00306-(JCM)
Plaintiff,)	
)	STIPULATION TO CONTINUE
)	HEARING AS TO DEFENDANT
- against -)	PIUS WILSON'S CHANGE OF PLEA
)	(ECF No.: 598)
)	(<u>First Request</u>)
PIUS SUSHIL WILSON,)	
)	
Defendant.)	
_____)	

IT IS HEREBY STIPULATED by and between Nicholas A. Trutanich, United States Attorney, and Chad W. McHenry, Trial Attorney, Organized Crime and Gang Section, Department of Justice Criminal Division, Counsel for the United States of America; and Todd A. Spodek, Esq., counsel for PIUS SUSHIL WILSON, that the hearing as to

1 Defendant Wilson's Change of Plea, scheduled for November 18, 2019 at 10:00 AM be
2 continued to December 3, 2019 at 10:00 AM, or to a date and time to be set by this
3 Honorable Court. This Honorable Court. This is the first request for a continuance as to
4 this matter. This Stipulation is entered into based on the following:

5 1. Defense counsel was on medical leave from August 26, 2019 until the first
6 week of November, and is unable to make himself available within the state of Nevada
7 on November 18, 2019, the current hearing date, and until December 3, 2019;

8 2. Counsel has conferred with his client, Defendant PIUS SUSHIL WILSON,
9 who was released on a personal recognizance bond pending trial, and does not object to
10 the brief continuance;

11 3. Counsel for the Government consents to the continuance, and the
12 continued hearing date.

13 4. Pursuant to 18 U.S.C. § 3161(h)(1)(H), and by analogy if this is construed
14 as any delay reasonably attributed to defense counsel's unavailability, the date from the
15 unavailability until the Change of Plea Hearing is excluded in computing the time within
16 which the trial of any such offense must commence;

17 5. The additional time requested by this stipulation is excludable in computing
18 the time within the trial herein must commence pursuant to the Speedy Trial Act,
19 specifically, 18 U.S.C. § 3161(h)(1)(H), (h)(7)(A) and (h)(7)(B)(i). Denial of this brief
20 request for a continuance would result in a miscarriage of justice, taking into account the
21 exercise of due diligence.
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2 6. For all the above-stated reasons, the ends of justice would be best served
3 by a brief continuance of the hearing on Defendant WILSON's Change of Plea.
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5 DATED this 15th day of November, 2019.
6

7 NICHOLAS A. TRUTANICH
8 United States Attorney
9 By: /s/ David Jaffe
10 David Jaffe
11 Chief, Organized Crime and Gang Section
12 Department of Justice, Criminal Division
13 Counsel for Plaintiff
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SPODEK LAW GROUP P.C.
Attorneys for Defendant
By: /s/ Todd A. Spodek
Todd A. Spodek

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

2:17-cr-00306-(JCM)

Plaintiff,)

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER THEREON

- against -)

PIUS SUSHIL WILSON,)

Defendant.)

FINDINGS OF FACT

Based on the pending Stipulation of the parties, and good cause appearing
therefore, the Court finds that:

1. Counsel for Defendant WILSON was on medical leave from August 26, 2019 until the first week of November, and is unable to make himself available within the state of Nevada on November 18, 2019, hearing on Defendant WILSON's Change of Plea.

2. Counsel for Defendant WILSON and the Government are available on December 3, 2019 at 10:00 AM.

3. Defendant PIUS SUSHIL WILSON does not object to the brief continuance.

1 4. For the reasons stated above, and to the extent applicable under the
2 Speedy Trial Act, the ends of justice would best be served by a continuance of the hearing
3 on Mr. Wilson's Change of Plea.

4 **CONCLUSIONS OF LAW**

5 1. To the extent applicable, the additional time requested by this stipulation is
6 excludable in computing the time within which the trial herein must commence pursuant
7 to the Speedy Trial Act, specifically 18 U.S.C. § 3161(h)(1)(H), (h)(7)(A) and (h)(7)(B)(i).

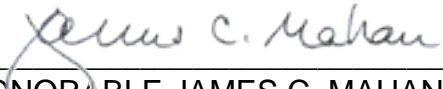
8 2. For the above-stated reasons, the ends of justice would best be served by
9 a brief continuance of the November 20, 2018 hearing date, and, if applicable, such
10 continuance outweighs the best interests of the public and the defendants in a speedy
11 trial.

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14 *INTENTIONALLY LEFT BLANK*

ORDER

IT IS THEREFORE ORDERED that the hearing as to Defendant Wilson's Change of Plea (ECF No.: 598) currently scheduled for November 18, 2019 be vacated and continued to December 3, 2019 at the hour 10:00 A.M.

DATED November 18, 2019.



HONORABLE JAMES C. MAHAN
SENIOR UNITED STATES DISTRICT JUDGE